

Statement of Chrysler Corporation
at Hearing of House Commerce Committee,
Subcommittee on Telecommunications, Trade and
Consumer Protection

April 28, 1997

Chrysler Corporation is pleased to provide the following comments on the issues involving the safety of air bags and the need for and proper usage of safety belts and child passenger restraint systems.

Air Bag Deactivation

Chrysler Corporation opposes a broad, on-demand air bag deactivation policy. We believe that in the interest of motor vehicle safety, deactivation must be limited to those individuals with a strong, compelling medical need. Virtually all vehicle manufacturers, air bag suppliers, automobile dealers, insurers, law enforcement agencies and former NHTSA Administrators agree that this is the only proper approach, to retain the integrity and benefits available from the air bag system.

We believe that the vast majority of the motoring public, when properly informed of the facts regarding air bag performance, will realize that deactivation of air bags is unwarranted. Deactivation concerns have been exaggerated in the public eye due to misrepresentation of the risks, resulting from dramatic media coverage of some of the reported air bag related deaths. All vehicular deaths are tragic, but deaths induced by the air bag are extremely rare.

NHTSA should continue its present policy of reviewing and approving individual deactivation requests, and such approval should be consistent with improving motor vehicle safety; that is, approvals should be given only to those who may actually be at some medically or other infirmity-related risk. A public policy of broad air bag deactivation on demand sends the wrong message to consumers because it undermines the overwhelmingly positive contribution to motor vehicle safety that air

bags have had. Broad deactivation, if implemented, could lead to many instances of increased fatalities and debilitating injuries where an activated air bag would have saved lives and reduced serious injuries.

It is critical that consumers be made aware of the degradation of safety that will occur if they deactivate their air bags as well as the effect on other vehicle safety systems that are designed to work with air bags. For example, in many vehicles, safety belts are designed to operate in coordination with air bags; if the air bag is deactivated, the effectiveness of the safety belts may be reduced. This may be especially true in the case of load-limiting safety belt designs, where the belt allows additional forward movement of the occupant once a specified load is reached, under the assumption that the air bag would be deployed to restrain the occupant further.

Any regulation on deactivation should be flexible enough to allow manufacturers to determine the most appropriate means of achieving deactivation, and such deactivation should be reversible should the owner, or subsequent owners, so desire. Over time, the marketplace and consumer preference will determine any “best practice” for deactivation in those limited cases where it is justified. In addition, any deactivation regulation must recognize the lead time that manufacturers and dealers need to design, develop, tool, and obtain the necessary parts for achieving deactivation.

Changing vehicle occupants’ behavior is the most effective and quickest way to improve motor vehicle safety. Much has been accomplished to inform the public recently about the proper steps regarding air bag safety and Chrysler (and others) will continue to provide vehicle owners with air bag education.

First, all owners of the approximately six (6) million Chrysler vehicles on the road equipped with passenger air bags have received letters and attention-getting warning labels advising them that:

- . Death or serious injury can occur to children 12 & under because of the air bag
- . The back seat is the safest place for children
- . They should never put a rear-facing child seat in the front seat
- . They should sit as far back as possible from the air bag, and
- . They should always use seat belts and child restraints

The same labels, prominently and permanently displayed on the sun visor, are mandatory standard equipment on all vehicles built for the U.S. market on and after February 25, 1997. These vehicles are also equipped with an instrument **panel-** mounted label containing this important information. Chrysler Corporation provided valuable input to the language and appearance of these labels.

In addition, Chrysler together with Ford and General Motors, are the major contributors to the Air Bag Safety Campaign, a public/private partnership formed in May, 1996, including importers of automobiles, occupant restraint manufacturers, NHTSA, insurers, child safety seat manufacturers, health professionals and others, The campaign's goals are to (1) educate all Americans on how to maximize the lifesaving capabilities of air bags and minimize the risks, (2) encourage enactment of upgraded safety belt and child safety seat laws at the state level, and (3) encourage enforcement of proper restraint use by supporting high visibility enforcement of safety belt and child restraint laws in each state. The message is totally consistent with and reinforces the message of letters and labels mentioned earlier.

Furthermore, Chrysler recently launched a national program targeting every elementary, pre-school and day-care center in the country -- some 30 million children up to age 12. Educational materials for classroom use have been distributed and will assist in teaching children that those 12 and under should always sit properly buckled up in the back seat of vehicles. The program, called "The ABC's of Air Bag Safety" is funded by Chrysler, with the advice and counsel of the American Automobile Association (AAA), The American Academy of Pediatrics and Morton International.

The cornerstone of the program is a 17 minute, extremely entertaining video tape featuring "Bill Nye the Science Guy", entitled "The Back is Where It's At!". This program is enthusiastically supported by NHTSA, the American Federation of Teachers, Emergency Nurses CARE, International Association of Chiefs of Police, Fraternal Order of Police, National Association of Governors' Highway Safety Representatives, the Air Bag Safety Campaign, the National Safety Council, Optimist International and the American Medical Association.

Chrysler has been told by those participating in the program that it has been extremely effective. We have received numerous compliments from participants. For example, Lifetime Learning Systems, Inc., a leader in the development and distribution of corporate-sponsored educational materials said:

"No educational program in our history has had a greater impact than "The Back is Where its At!" Nearly 10,000 teachers have written to us with praise for the quality and effectiveness of the classroom materials, and we thank Chrysler for making this unprecedented effort...into the hands of those who most need it -- children and their parents."

We have received numerous requests for these materials from other organizations involved in safety - such as hospitals, automobile companies, the US. Department of Transportation and driver educators. By the end of the month, we plan to announce that Chrysler Canada Limited in conjunction with the Canadian Automobile Association (CAA) will be disseminating these materials. Chrysler is currently working on implementing a second phase of this program with other major U.S. and Japanese Corporations.

Chrysler has also developed a traveling "Safety Display" to spread the message about air bag safety all over the country, such as at auto shows, "Kid Expositions", the "Artrain" tour, "Six Flag" theme park events and "Plymouth Place" at the Mall of America. We also have many additional requests for this display.

Seat Belt Use

Air bag induced fatal injury with properly restrained drivers and front seat passengers is an extremely rare event -- we believe that none of the 38 children who reportedly have been fatally injured by passenger side air bags were properly restrained. Similarly, only about six of the 21 drivers whose deaths were associated with air bag deployments were determined to have been restrained, and two of those six were slumped over the steering wheel before impact, due to medical emergencies. Only one of the three adult passengers who reportedly was fatally injured by an air bag was belted; and this passenger was 98 years of age.

Safety belt and child restraint usage are absolutely critical to maximizing occupant protection in crashes. We wholeheartedly support President Clinton's

initiatives to work for 85 percent belt use by 2000 and 90 percent by 2005. When these rates are achieved, the risks of air bag induced injury will be reduced significantly from today. Despite substantial previous efforts, the United States continues to lag other developed countries in the rate of usage of safety belts. Only 11 states have standard, or primary enforcement safety belt laws, and only four states have fines for violating the law that exceed \$25, less than a typical fine for violating parking laws in the District of Columbia. We believe that States must adopt stricter methods of enforcement, such as those that exist in Canada and Australia, including penalty points on licenses and higher fines, to increase safety belt usage significantly.

Standardized Child Restraint Attachments

Chrysler fully supports the need to implement a standardized method of attaching child restraints as a means to increase the percentage of correctly installed child seats for ages 0-4. We have seen reports that indicate mis-installation rates as high as **80%**, due to the confusion that occurs when safety belts are used as the attachment mechanism of the child seat to the vehicle. Improper belt routing, inadequate cinching, misapplication or non-application of locking clips and installation of rear-facing child seats in the forward direction are some of the mistakes that are **all-** too commonly made by parents.

While the industry has made some progress by installing cinching latch plates or automatically locking retractors on vehicle lap/shoulder belts to obviate locking clips, many problems still remain in using safety belts to attach child seats properly. That is why it is imperative that a method which does not use the occupant belt attachment

be established as a universal child restraint anchorage system. Work has been ongoing on this effort for more than six years under the auspices of the International Standards Organization (ISO), including experts on child seats and their interaction with the vehicle and its owners from various automobile companies and child restraint manufacturers.

Meetings of this group -- Working Group 1 of ISO/TC22/SC12 were held as recently as Wednesday and Thursday, April 23 and 24, 1997 in Paris, France. The NHTSA notice of proposed rulemaking on child restraint anchorages was discussed at these meetings, and representatives from Ford, GM and Chrysler, as well as European and Japanese auto manufacturers were in attendance. The intent of this meeting is to reach consensus on the remaining technical issue and achieve a world-wide harmonized attachment method. The only issue remaining to be resolved at this meeting is whether the attachment hardware will be a round, 6mm diameter bar or a flat latch plate. Chrysler believes that we should work toward world-wide harmonization on this matter.

Chrysler was the first vehicle manufacturer to develop and sell child seats integrated into the vehicle. We began offering them in our **minivans** in 1991. We chose to begin with the **minivans** because they are frequently occupied by children. We expanded their availability into several sedans as well. These seats offer several advantages versus conventional child seats:

- . They cannot be mis-installed
- . They are in a rear seat of the vehicle and cannot be moved to the front

- They are much more convenient to use and easily fold out of the way for other occupants who do not require child seats.

Elimination of the Unbelted Test for FMVSS 208

The unbelted barrier test, which utilizes mid-size, male test dummies, has been viewed by NHTSA, since the late 1960's, as necessary to establish occupant restraint performance for unbelted occupants. The current version of the standard, issued in 1984, was derived to address occupant protection of unbelted occupants because in the early 1980's front seat belt usage was just 12.5 percent, only one state (New York) had enacted a mandatory belt use law, and there was significant doubt as to the levels to which belt usage might rise. As a result, NHTSA believed their regulatory action should give high priority to protection for unbelted occupants.

Today, however, belt usage nationwide is reported at 68 percent by NHTSA. Since the conditions under which the regulation were issued have substantially changed, we believe NHTSA has an obligation to reevaluate the continuation of the current unbelted, mid-sized male test dummy, 30 mph barrier test. As was stated in NHTSA's rulemaking on depowering air bags, and at the National Transportation Safety Board's Public Forum on Air Bags and Child Safety in March, it is this test that dictates the energy level of air bags. NHTSA recognized this when it amended the standard, albeit temporarily, to permit depowered air bags. Chrysler believes that the agency (given the already higher belt usage in the U.S. and the President's recently announced program to increase belt use) should revise the standard and eliminate the unbelted barrier test.

The current unbelted test limits manufacturer ability to optimize air bag performance for **belted** occupants, as is done in all other countries. We believe the priorities of restraint system performance should be: (1) maximize protection for belted occupants while minimizing the risk of harm to children and small-statured adults; and then (2) provide as much occupant protection as feasible to other unbelted adults.

While NHTSA has claimed in a rulemaking notice seeking comment on this issue that it lacks legal authority to eliminate this provision, we disagree. Legal analyses performed for Congress as well as the American Automobile Manufacturers Association (**AAMA**), indicate that ample authority to amend this provision currently exists. Chrysler intends to participate with AAMA in providing further legal analysis on this point when AAMA submits formal comments to the agency's comment request.

Sunset Provision for Depowering

Chrysler is pleased that NHTSA published a final rule on March 19, 1997, permitting manufacturers to depower air bags on new vehicles. We intend to offer depowered air bags in all of our 1998 models.

Nevertheless, Chrysler is very concerned about the sunset provision included in the final rule. This provision terminates in only four years (September 1, 2001) the option to establish depowered air **bag** levels via compliance with the recently promulgated sled test provision. Thus the unbelted 30 mph sled test and applicable crash pulse and neck injury criteria would expire and the regulation will revert to the unbelted 30 mph barrier crash test requirement. We believe that the optional sled test procedure, which allows introduction of depowered air bags, should not be summarily

terminated in four years.

While four years may appear initially to be a long period, manufacturers are already developing vehicles intended for production after September 1, 2001. It is imperative that sufficient time be allowed to determine the on-road performance of depowered air bags and the potential of introducing next generation air bag technology before making any decision on sunset the depowering regulation.

We agree with NHTSA that more advanced air bag technologies should be introduced as soon as safe, reliable, and effective systems are ready for production. Many facets of advanced air bag technology now being reviewed are in the very early stage of development and cannot be ready in time for introduction on vehicles manufactured after September 1, 2001. There is also no reason to assume that depowering would not be an integral part of these new technologies.

AAMA has proposed that any issues relating to depowered air bag safety can best be addressed via the rapid tracking of real world experience of depowered air bag vehicles. We have proposed to NHTSA a plan for identifying and tracking depowered vehicles and have offered resources for its accomplishment. Real world data and a better understanding of the direction of advanced technology should determine whether depowering air bags should be eliminated as part of advanced restraint designs.

SUSAN M. CISCHKE
Executive Director - Vehicle Certification, Compliance & Safety Affairs

CHRYSLER CORPORATION

Susan M. Cischke was named Executive Director - Vehicle Certification, Compliance and Safety Affairs for Chrysler Corporation in December 1996.

She is responsible for vehicle emissions certification programs, safety and emissions compliance, mobile source environmental and energy planning, vehicle safety and regulatory affairs, and product analysis.

Ms. Cischke joined Chrysler in May, 1976 as an engineer with the Chrysler Institute Program. Ms. Cischke was appointed to her current position after a 20 year engineering career with Chrysler with ever increasing management responsibilities.

Before moving to her current position, Ms. Cischke was most recently the General Manager of Chrysler's Scientific Laboratories and Proving Grounds located in both Michigan and Arizona.

Ms. Cischke holds a B.S. in Engineering from Oakland University and an M.S. in Mechanical Engineering from the University of Michigan.

Ms. Cischke is a member of the Society of Automotive Engineers, the Society of Women Engineers, and the Engineering Society (ESD). She serves on the ESD Foundation Board, the Oakland University Alumni Association Board, and is the Corporate sponsor for the Society of Women Engineers.

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